

REMARKS

This current Reply is responsive to a current and non-final Office Action that was dated (mailed) 12/15/2004. Of pending claims 1-32, claims 1, 6, 11-14, 18, 19, 24, 28, and 30-32 have been amended in this current Reply.

Claims 11, 13, 18, 24, and 31 were objected to. Claims 11, 13, 18, 24, and 31 have been amended to address any preexisting informalities. Accordingly, withdrawal of the objections is respectfully requested. (It is noted that the addition of --from-- is not made for any reasons related to patentability.)

Claims 14-24 and 28 were "rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards the invention."

Regarding part "a)", it is respectfully submitted that "logic" is an embodiment of a process, a method, etc. that is realized as hardware, as firmware, as one or more computer readable media having computer-executable instructions, some combination thereof, and so forth. Consequently, it is respectfully submitted that neither a process nor a method per se, at least from a statutory subject matter perspective, is being claimed in the apparatus claims of claims 14-24 or in the system claim of claim 28. Accordingly, withdrawal of the rejection is respectfully requested.

1 Regarding part "b)", claim 28 has been amended to remedy any preexisting
2 vagueness. Accordingly, withdrawal of this rejection is respectfully requested.

3 Regarding part "c)", claims 30 and 32 have been amended to remedy any
4 preexisting vagueness. Accordingly, withdrawal of this rejection is respectfully
5 requested.

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8 Additionally, the current Office Action rejected claims 1-32 based on a U.S.
9 Patent. Specifically:

10 Claims 1 and 5-32 were "rejected under 35 U.S.C. 102(e) as
11 being anticipated by Aharoni et al. (US 6,014,694), hereafter
12 'Aaroni'."

13 Claims 2-4 were "rejected under 35 U.S.C. 103(a) as being
14 unpatentable over Aharoni."

1 Of pending claims 1-32, claims 1, 6, 12, 14, 19, and 25 are independent.
2 Independent claims 1, 6, 12, 14, 19, and 25 are addressed individually below.
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5 With regard to claim 1:

6 The video compression of Aharoni et al. is not effectuated using video
7 objects. Consequently, video information necessarily cannot be classified, ordered,
8 prioritized or otherwise organized or categorized responsive to [] compressed
9 video objects.

10 Accordingly, no art of record, either alone or in any combination, anticipates
11 or renders obvious at least the following elements in conjunction with the other
12 elements of claim 1: **classifying information within each elementary stream**
13 **based on importance and responsive to the compressed video objects.**
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16 With regard to claim 6:

17 The adaptive video/audio transport of Aharoni et al. neither describes nor
18 suggests use of a video quality weighting factor and/or minimizing quality
19 degradation.

20 Accordingly, no art of record, either alone or in any combination, anticipates
21 or renders obvious at least the following elements in conjunction with the other
22 elements of claim 6: **implementing rate control based on minimizing quality**
23 **degradation responsive to a video quality weighting factor, a packet loss rate,**
24 **and respective bit rates of respective service classes . . . selectively outputting**
25 **at least one packet of content information based on a priority associated with**

1 the service class associated with the packet of content information and
2 responsive to the implemented rate control.

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5 With regard to claim 12:

6 The adaptive video/audio transport of Aharoni et al. neither describes nor
7 suggests discarding packets at the sender.

8 Accordingly, no art of record, either alone or in any combination, anticipates
9 or renders obvious at least the following elements in conjunction with the other
10 elements of claim 12: selectively discarding a portion of the packets of the
11 media information in accordance with an adaptive rate control mechanism at
12 a sending computing device.

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15 With regard to claim 14:

16 The adaptive video/audio transport of Aharoni et al. sends video data of
17 differing priorities using differing mechanisms or sessions. (See, e.g., column 9, line
18 57 to column 10, line 21.)

19 Accordingly, no art of record, either alone or in any combination, anticipates
20 or renders obvious at least the following elements in conjunction with the other
21 elements of claim 14: a queuing layer process configured to prioritize the
22 packetized content information in accordance with different priorities within
23 a single session.

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2 With regard to claim 19:

3 The adaptive video/audio transport of Aharoni et al. neither describes nor
4 suggests prioritization resulting from user interaction feedback.

5 Accordingly, no art of record, either alone or in any combination, anticipates
6 or renders obvious at least the following elements in conjunction with the other
7 elements of claim 19: **collaborator logic operatively coupled to the packetizer**
8 **logic and configured to receive at least one prioritizing parameter associated**
9 **with at least one application, including an application communicating the**
10 **content information, and one or more prioritizing parameters associated with**
11 **a user interaction; the collaborator logic further configured to output**
12 **resource coordination information based at least in part on the at least one**
13 **prioritizing parameter associated with the application and the one or more**
14 **prioritizing parameters associated with the user interaction.**

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17 With regard to claim 25:

18 The adaptive video/audio transport of Aharoni et al. neither describes nor
19 suggests use of any **application-aware resource controllers**. Hence, Aharoni et al.
20 cannot describe or suggest use of a **plurality of application-aware resource**
21 **controllers**. Moreover, the video compression of Aharoni et al., and all related
22 processing, is limited to occurring at the sender. Consequently, Aharoni et al.
23 certainly cannot describe or suggest **application-aware resource controllers in two**
24 **access networks.**

1 It is noted that the Office Action at the bottom of page 7 reads, in pertinent
2 part, "a plurality of application-aware resource controllers (222, Fig. 15)." It is
3 respectfully submitted that there is only one "RATE CONTROLLER" element 222
4 in Fig. 15 and the descriptive text relating thereto.

5 Accordingly, no art of record, either alone or in any combination, anticipates
6 or renders obvious at least the following elements in conjunction with the other
7 elements of claim 25: **a plurality of application-aware resource controllers**
8 **including a first application-aware resource controller operatively configured**
9 **within the first access network and a second application-aware resource**
10 **controller operatively configured within the second access network**

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15 Reasons for the allowability of independent claims 1, 6, 12, 14, 19, and 25
16 have been provided above. Claims 2-5, 7-11, 13, 15-18, 20-24, and 26-32 depend
17 from these independent claims 1, 6, 12, 14, 19, and 25, respectively. Although each
18 also includes additional element(s) militating toward allowability, it is respectfully
19 submitted that these dependent claims are allowable at least for the reasons given
20 above in connection with their respective independent claims.

CONCLUSION

It is respectfully submitted that all of the pending claims 1-32 are allowable,
and prompt action to that end is hereby requested.

Respectfully Submitted,

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